

MASTER EXHIBIT SERIES

HAITI

STUDENTS

[ME/HTI/93.003E]

JULY 1993

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Master Exhibit prepared by Cambridge and Somerville Legal Services, Harvard Immigration & Refugee
Program, in cooperation with Church World Service, Documentation Exchange, Florida Rural Legal
Services, Haitian Refugee Center, National Immigration Project, National Lawyers Guild.

INS RESOURCE INFORMATION CENTER
425 I STREET, N.W.
(ULLICO BUILDING, 3RD FLOOR)
WASHINGTON, D.C. 20536

PRODUCED BY:

HARVARD LAW SCHOOL
IMMIGRATION AND REFUGEE PROGRAM
CAMBRIDGE AND SOMERVILLE LEGAL SERVICES
SUITE 16, 432 COLOMBIA STREET
CAMBRIDGE, MA 02141

DISCLAIMER

The July 27, 1990 Regulations, "Aliens and Nationality Asylum and Withholding of Deportation Procedures" mandated the creation of a new corps of Asylum Officers to provide an initial, nonadversarial adjudication of asylum claims. Asylum Officers use asylum law, interviews with asylum applicants, and relevant information on country conditions to determine the merits of individual claims for asylum.

The Resource Information Center was created to assist Asylum Officers domestically, and Immigration Officers determining refugee status overseas, by collecting and disseminating credible and objective information on human rights conditions. As specified in the Regulations (8 CFR 208.12), such information may be obtained from the Department of Justice, the Department of State, and "other credible sources, such as international organizations, private voluntary organizations, or academic institutions."

Master Exhibits are one means by which credible information on a given group deemed "at risk" is presented to Asylum and Immigration Officers. Master Exhibits are submitted by private voluntary organizations, law firms, or other groups, which are credited on the title page of the Exhibit. The contents of each Master Exhibit distributed by the Resource Information Center, taken as a whole, meet certain basic standards on credibility, relevance and format, and can provide Asylum Officers with valuable background material for evaluating country conditions.

This Master Exhibit provides publicly available information, analyses, or comment. All sources are cited. Updates to this Master Exhibit may be made from time to time. This Master Exhibit, however, cannot be, and does not purport to be, either exhaustive with regard to the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum. It is for the Asylum Officer adjudicating a particular case to determine what evidentiary weight to give to the information in this Master Exhibit.

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GROUP AT RISK: STUDENTS

- | <u>Item</u> | <u>Citation/Description</u> |
|-------------|---|
| I. | <p>American Immigration Lawyers Association, <u>The AILA Human Rights Delegation Report on Haiti</u>, March 1993, pp. 1-8, 12-13, Executive Summary.</p> <p>Reports arrests of students for possession of pro-Aristide literature and making pro-Aristide comments. Children are being detained in adult prisons.</p> |
| II. | <p>John Cummings, Acting Director - INS Office of International Affairs, "Memorandum to INS Asylum and Refugee Divisions, Re: Considerations when Adjudicating Haitian Refugee/Asylee Applications," 9 March 1993.</p> <p>The purpose of this paper is to provide additional guidance to INS officers to assist them in the adjudication of Haitian refugee and asylum applications...</p> <p>3. <u>Potential targets of violence and threats of violence...</u></p> <p>A. Individuals who support, supported, or who are imputed to support or have supported the exiled President, Jean Bertrand Aristide...Individuals, particularly in the countryside, who are identified as being pro-Aristide. Credible reports indicate that violence, including arrest and detention, has been directed at persons for possessing or circulating pictures of President Aristide...</p> <p>D. <u>Students and student organizations...</u></p> <p>The military has targeted student leaders and members of student organizations. Soldiers have prohibited student meetings, arrested and detained students, and brutally beaten and in some cases tortured suspected student activists...</p> <p><u>Leaders and members of potential targets...</u></p> <p>Although those in leadership or prominent positions are possibly at greater risk due to their greater visibility, lack of prominence does not remove the possibility of being at risk. This is true especially considering the fact that Haitian society is organized into small communities.</p> |
| III. | <p>Americas Watch/National Coalition of Haitian Refugees, <u>Silencing a People: The Destruction of Civil Society in Haiti</u> (New York: Americas Watch/NCHR, February 1993), pp. 45-55.</p> <p>Based on eyewitness accounts and over 250 interviews conducted in the summer of 1992, this report describes how students and teachers have been threatened and pressured by soldiers and other authorities. Students and teachers are singled out because they have been among the most outspoken defenders of Haiti's ousted democratic government.</p> |
| IV. | <p><u>Haiti: Resistance & Democracy Bulletin #170</u>, reprinted by Haiti Communications Project, 17 December 1992, translated by the Haiti Communications Project, Boston, MA.</p> <p>In Rue Marcelin, a student was shot from behind while entering her house.</p> |

¹ The term "Group At Risk" is used rather than "persecution" because the latter is a legal conclusion.

- V. Haiti: Resistance & Democracy Bulletin #169, reprinted by Haiti Communications Project, 14 December 1992, translated by the Haiti Communications Project, Boston, MA.

In Port-au-Prince, the Teachers College was sealed off by the army and two students were arrested. At Canape Vert Hospital, a student who survived machine gunning at Titanyen was murdered in his hospital room. Two others were shot while the killers were leaving the hospital. In Carrefour, two high school students were missing, and it is feared that they were executed. In Arcahaie, the section chief arrested and beat a teacher. In Petit-Goave, fifteen people, including a teacher who was a member of a local popular organization, were beaten and arrested for ostensibly writing pro-Aristide graffiti.

- VI. Amnesty International, Urgent Action, Haiti, "Jean-Marc Philogene," 9 December 1992, further information on UA 380/92.

Reports that Jean-Marc Philogene, one of the protestors at the university, may have been extrajudicially executed.

- VII. Haiti: Resistance & Democracy Bulletin #167, reprinted by Haiti Communications Project, 7 December 1992, translated by the Haiti Communications Project, Boston, MA.

At the State University, leaders of the National Federation of Haitian Students (FENEH) assert continued repression and violence at the State University due to the students' resistance of government attempts to replace faculty members opposed to the government and the privatization of the university.

- VIII. Haiti: Resistance & Democracy Bulletin #166, reprinted by Haiti Communications Project, 5 December 1992, translated by the Haiti Communications Project, Boston, MA.

Student protests of the decision by government to replace elected leaders at university were repressed forcefully by the military, resulting in numerous disappearances and serious injuries. The homes of dozens of students were raided and three students were arrested as "terrorists." In Martissant three students were arrested without charge.

- IX. Amnesty International, Urgent Action, Haiti, "About 12 students arrested" and "About 20 students beaten," 2 December 1992, "UA 380/92."

Reports that approximately 12 students were arrested by the armed forces during protests at the Faculty of Agronomy at the State University of Haiti. Also reports that approximately 20 students were injured after being badly beaten by soldiers who attacked the protesters.

- X. Haiti: Resistance & Democracy Bulletin #165, reprinted by Haiti Communications Project, 30 November 1992, translated by the Haiti Communications Project, Boston, MA.

Four activist youths of the Port-au-Prince Student Federation were arrested. In Leogane, the local high school was closed by school authorities because students were protesting the current government and clashes with authorities were feared. Thirteen students were arrested. Two students were later arrested allegedly for possession of home made bombs.

- XI. Haiti: Resistance & Democracy Bulletin #161, reprinted by Haiti Communications Project, 16 November 1992, translated by the Haiti Communications Project, Boston, MA.

Students and journalists were arrested after discovery of planning for demonstration commemorating the invasion of the Faculty of Sciences.

- XII. Haiti: Resistance & Democracy Bulletin #160, reprinted by Haiti Communications Project, 12 November 1992, translated by the Haiti Communications Project, Boston, MA.

In Port-au-Prince, the Faculty of Sciences was threatened for a protest commemorating repression against the university a year earlier. Two journalists were arrested and their equipment was destroyed. An international journalist had his briefcase forcibly taken. A literacy instructor with the Association of Literacy Instructors of Port-au-Prince was disappeared.

- XIII. Haiti: Resistance & Democracy Bulletin #159, reprinted by Haiti Communications Project, 9 November 1992, translated by the Haiti Communications Project, Boston, MA.

Armed soldiers were deployed to a high school near Port-au-Prince after students there protested the presence of a new censor and graffiti supporting Aristide was put on the school walls.

- XIV. Haiti: Resistance & Democracy Bulletin #156, reprinted by Haiti Communications Project, 29 October 1992, translated by the Haiti Communications Project, Boston, MA.

Students were beaten by police for complaining about lack of essential materials. Two young students were missing after going out to buy school supplies.

- XV. Dennis Nurske, Lutheran Immigration and Refugee Service, United States Catholic Conference/Migration and Refugee Service, At Special Risk: The Impact of Political Violence on Minors in Haiti, (July 1992).

This study details the situation of younger children and adolescents, including students. It notes that evidence and testimony categorically confirm that massive political violence has been deployed against students in retribution for participation in social movements. It is reported that children have apparently been singled out simply to raise the level of terror in a community viewed as adversary by military authorities. The breakdown of family and kinship structures has created a whole other host of problems for children.

"Secondary and elementary classrooms in Haiti may be more politicized than in any other country in the world...Ample documentation...suggests that the escalating dynamic of recent political events in Haiti has led to...the targeting and occupation of classrooms by army and paramilitary forces...and...imputing of political beliefs to all students who attend a school where political opinions have been expressed."

- XVI. Amnesty International, Urgent Action, Haiti, "Ten Students Listed Arrested," 17 July 1992, "UA 236/92."

Reports that armed forces shot and wounded student demonstrators. Also reports mass arrests.

- XVII. Amnesty International, Urgent Action, Haiti, "Lanfanmi Selavi," 1 July 1992, "UA 219/92."

Reports continuing intimidation of staff and children at orphanage founded by and associated with Aristide.

- XVIII. Amnesty International, Urgent Action, Haiti, "Sulfrid Jeune Exime," 1 May 1992, "UA 138/92."

Secondary school student accused of leafletting was arrested without a warrant.

- XIX. The Haiti Commission, Lavalas vs. Duvalierism: The Struggle for Haiti's Future (New York: March 1992), pp. 23-24.

A student describes how he and over 60 of his colleagues were arrested, beaten on their legs and testicles, and jammed into two small cells with no toilets, drinkable water, medical care or bedding.

- XX. Haiti: Resistance & Democracy Bulletin #66, reprinted by Lawyers Committee for Human Rights, 16 February 1992, translated by RIC staff.

Reports estimates of 2,000 arbitrary arrests between October 1991 and January 1992. High school students continue to be targets of abuse.

- XXI. Haiti: Resistance & Democracy Bulletin #61, reprinted by Lawyers Committee for Human Rights, 27 January 1992, translated by RIC staff.

Students are identified as particular targets in the Cape. "The high school has become a veritable barracks." Students who are suspected of having belonged to an organization, or to have joined in the resistance have been thrown out of school and threatened.

- XXII. Amnesty International, Haiti: The Human Rights Tragedy; Human Rights Violations Since the Coup (London: Amnesty International, January 1992), "AMR 36103192," pp. 26-28.

Documents violence and human rights violations directed against students and children. Reports brutal beatings and arrests of members of the National Federation of Haitian Students (FENEH) on November 12, 1991 during a pro-Aristide student demonstration.

- XXIII. Amnesty International, Urgent Action, Haiti, "Sergo (or Serge) Michel, Emilien Kersaint + over 20 unnamed street children," 13 December 1991, "UA 441/91."

Reports arrests and continuing harassment of members of a center providing care for street children.

- XXIV. Lawyers Committee for Human Rights, Summary of the Human Rights Situation in Haiti (New York: Lawyers Committee for Human Rights, 8 December 1991).

Reports numerous army attacks on students.

- XXV. Haiti: Resistance & Democracy Bulletin #44, reprinted by Amnesty International, 8 December 1991, translated by Mike Levy, AIUSA Haiti coordinator.

Reports of repression reports from Port-au-Prince schoolchildren, associates and relatives

- XXIX. Amnesty International, Urgent Action, Haiti, "Virginie Senatus (f), Loby Gratia, Raynand Pierre and others," 14 November 1991, "UA 397/91." of Aristide official, and the North.

- XXVI. Haiti: Resistance & Democracy Bulletin #40, reprinted by Amnesty International, 29 November 1991, translated by Mike Levy, AIUSA Haiti coordinator.

A Port-au-Prince student organization reports a list of detained students.

- XXVII. Lawyers Committee for Human Rights, Press Release, Haitian Army Breaks Up Peaceful Student Meeting, 21 November 1991.

Reports arrests of from 80 to 100 students. Loud screams of younger children and students were heard from inside police stations.

- XXVIII. Amnesty International, Urgent Action, Haiti, "Haiti: Fear of Refoulment," 14 November 1991, "UA 398/91."

Reports that the Dominican Republic may forcibly return 23 listed Haitians and one unnamed child to probable persecution.

Reports that a leader of the women's student movement was arrested. Gratia, human rights worker, is in hiding.

- XXX. "Soldiers Kill Three Demonstrators at University," Port-au-Prince, Bonaire Transworld Radio, 13 November 1991, (as reported in the Foreign Broadcast Information Service [FBIS] Daily Report).

- XXXI. "Soldiers Arrest Students, Journalist," Port-au-Prince, Radio Soleil, 12 November 1991 (as reported in the Foreign Broadcast Information Service [FBIS] Daily Report 13 November 1991).